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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,856	06/02/2004	Dere Newman	34714	6563

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EXAMINER
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VOGELBACKER, MARK T

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/709,856	<b>Applicant(s)</b> NEWMAN ET AL.	
	<b>Examiner</b> Mark T. Vogelbacker	<b>Art Unit</b> 3677	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 6-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/30/2006</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claims 17-21, 23 and 24 objected to because of the following informalities:

Regarding claim 17, line 18, the phrase “spaced adjacent said segments” is awkward. A preposition between the terms “adjacent” and “said” may help clarify the phrase.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8-10, 23 and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 and 23, recite the limitation "a fixture" in lines 2 and 6, respectively. Are multiple fixtures being claimed? If not, this limitation does not establish proper antecedence to the phrase “any one of a number of fixtures” in the independent claims.

Regarding claim 9, the phrase “said fixture-supporting pole section” improperly establishes antecedence. There is no prior recitation of a “fixture-supporting pole section”.

Regarding claim 24, lines 3-4, the phrase “a corresponding pair of axially projecting, resilient locking segments” is confusing in light of the phrase “a pair of resilient locking

segments” in line 9 of claim 17. Are these two phrases referring to different structure? Further, it appears lines 2-4 of claim 24 merely repeat structure previously claimed in claim 17.

*New Ground(s) of Rejection*

*Claim Rejections - 35 USC § 102*

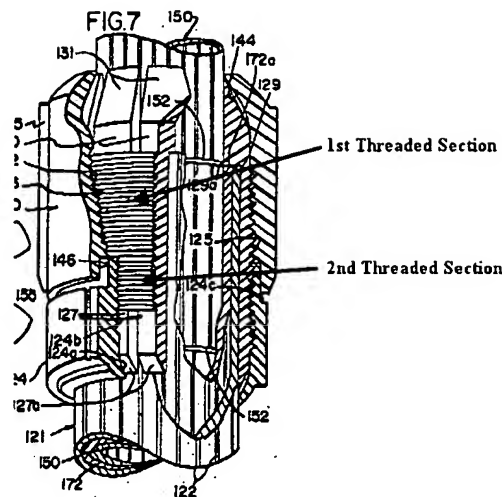
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 6-24 are rejected under 35 U.S.C. 102(b) as anticipated by Pharris, US-3,380,097.

Regarding claim 6, Pharris discloses the invention as claimed, including an elongated pole section (121) including an outwardly projecting tool supporting and securing element (127) and a fixture-supporting pole section (150). The element (127) includes a first and second threaded portions having different thread pitches. The first and second threaded portions are capable of receiving a fixture. A threadably mounted locking member (140) is disposed around the first threaded portion. The locking member (140) includes an outermost annular face. Further, Pharris discloses a locking mechanism (124).



Regarding claims 11 and 17, Pharris discloses the invention as claimed, including an outer pole section (121), an inner pole section (150), a collet cam (130) and a chuck (140). The collet cam (130), disposed about and operatively coupled with the outer pole section (121), has a pair of axially projecting, locking sections (131) that are cantilevered in a circumferential direction. The locking segments (131) have axially extending connection portions and a region of that progressively increases in thickness in a circumferential direction. The chuck (140), which is rotationally mounted to the outer pole section (121), has a camming portion (144) that engages the region of increased thickness of the locking segments (131) for frictional engagement with the outer pole section (121). Each of the locking segments (131) has an outermost arcuate edge and a cutline axially spaced from, and parallel to, the corresponding edge. Further, the collet cam (130) has an inwardly extending stop (127) extending through the outer pole section (121).

Regarding claims 13 and 18, Pharris discloses each locking segment (131) being arcuate in cross section and presenting an inner surface having a radius of curvature with a central axis. The claimed phrase that “the central axes of said inner surfaces being offset from one another” is

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given no patentable weight since applicant has not disclosed that the offset inner surfaces solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well without the offset surfaces.

Regarding claims 16 and 21, Pharris discloses that the chuck (140) and the collet cam (130) are cooperatively configured for locking the inner pole section (150) relative to the outer pole section (121) by rotation of said chuck (140). The claimed phrase "through an angle of less than about 45°" is given no patentable weight since applicant has not disclosed that the limited rotation solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well without limiting the rotation of the chuck.

Regarding claim 23, as described above, Pharris discloses an outwardly projecting tool supporting and securing element (127). The element (127) includes a first and second threaded portions having different thread pitches. The first and second threaded portions are capable of receiving a fixture. A threadably mounted locking member (140) is disposed around the first threaded portion.

### ***Response to Arguments***

6. Applicant's amendment, see amendment and remarks filed May 30, 20006, with respect to the rejection(s) of claims 6-10 under Polzin et al., US-5,983,455, have been fully considered. Therefore, the rejection with regard under Polzin has been withdrawn. However, upon further consideration of the amended claims, a new ground(s) of rejection of claims 6-10 is made in view of Pharris, US- 3,380,097.

Regarding Applicant's argument on page 14, line 11, through page 16, line 4, the argument has been considered but is moot in view of the new ground(s) of rejection.

Regarding Applicant's argument on page 16, line 14, through page 17, line 2, as described in paragraph 5 above, Pharris does disclose an extension pole with a collet cam (130), disposed about and operatively coupled with the outer pole section (121), having a pair of axially projecting, locking sections (131) that are cantilevered in a circumferential direction. The locking segments (131) have axially extending connection portions and a region of increased thickness.

Regarding Applicant's argument on page 17, lines 3-13, as described in paragraph 5 above, Pharris does disclose a collet cam (130) and a chuck (140). The collet cam (130), disposed about and operatively coupled with the outer pole section (121), has a pair of axially projecting, locking sections (131) that are cantilevered in a circumferential direction. The locking segments (131) have axially extending connection portions and a region of that progressively increases in thickness in a circumferential direction. The chuck (140), which is rotationally mounted to the outer pole section (121), has a camming portion (144) that engages the region of increased thickness of the locking segments (131) for frictional engagement with the outer pole section (121). The camming portion (144), disclosed by Pharris, extends progressively inward in a circumferential direction. The fact that the camming interengagement disclosed by Pharris may occur as a result of different motion is irrelevant since Pharris meets the current claim limitation.

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Vogelbacker whose telephone number is (571) 272-1648. The examiner can normally be reached on 8:00 am - 5:30 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

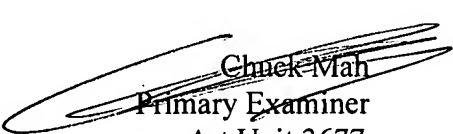


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